(3)

cp 1097

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION NO. 1197 /2002.

PETITIONER : Pancham Ram Rajwade, aged about 49 years, S/o Late Shri Khorai Ram, Forest Guard, Range - Dhaurpur, East Surguja, Division Distt. Surguja (Chhattisgarh)

VERSUS

RESPONDENTS :

1) State of Chhattisgarh, Through : Principal Secretary, Department of Forest, D.K.S. Bhawan, Raipur (Chhattisgarh).

2) Additional Chief Conservator of Forest (Administration) Raipur, Chhattisgarh.

3) Conservator of Forest (Surguja) Surguja Circle, Surguja, (C.G.)

4) Divisional Forest Officer, South Surguja Division, Ambikapur, Distt. Surguja (C.G.)

5) Divisional Forest Officer, East Surguja Division, Ambikapur, Distt. Surguja (C.G.)

6) State Administrative Tribunal Through : The Registrar, Raipur, Chhattisgarh.

P.R. No. 1192/2
Received by Shri ... Advocate
dated 18.06.2002

शपथ आयुक्त, एम. के. शुक्ला, बिलासपुर

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF THE WRIT IN THE NATURE OF MANDAMUS, CERTIORARI ETC.

(32)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No. 1197/2002 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

24/10/2002: -

Shri V.K. Pandey, learned counsel for the petitioner.

Shri Sanjay K. Agrawal, learned Dy. Advocate General, for the State/respondents.

Heard both the counsel.

What is challenged by the petitioner in this writ petition is the order dated 13/05/2002 (Annexure-P/1) passed by the Administrative Tribunal. By the said order the Tribunal has rejected the interim prayer of the petitioner. The operative portion of the order reads thus:

> *"The prayer is rejected since in absence of interim relief, the applicant will not suffer any sort of irreparable loss. If the applicant succeeds, he will be entitled to all the benefits due legally in his favour."*

In our opinion, this order passed by the Tribunal is just and proper. In view of the judgment of the Supreme Court in the case of **State of Haryana Vs. Suman Dutta, reported in (2000) 10 SCC 311**, we are of the opinion that it is not a fit case for admission.

The petition is, therefore, liable to be rejected and it is accordingly rejected.

Sd/-
Chief Justice

Sd/-
P.C.Naik
Judge

Brajesh/Subbu

GRPRJ—FS/78 —5/2000—50,000.

24.10